

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
COLUMBUS DIVISION

EIGHTH FLOOR PROMOTIONS, LLC, : Case No. 2:09-cv-0102

Plaintiff, : (Hon. Gregory L. Frost)

vs. : **NOTICE OF WITHDRAWAL  
AND SUBSTITUTION OF  
TRIAL ATTORNEY**

R.S. OWENS & CO., INC. :

Defendant.

Pursuant to Local Rule 83.4(c)(1), notice is given that James L. Rogers, Scott A. Johnson, and the firm of Eastman & Smith, Ltd. hereby withdraw as counsel for Eighth Floor Promotions, LLC in this action, and that Richard H. Wallace and the firm of Elsass, Wallace, Evans, Schnelle & Co., L.P.A. are substituted therefore as trial counsel of record.

Respectfully submitted,

EASTMAN & SMITH LTD.

James L. Rogers  
James L. Rogers (0039743)  
Scott A. Johnson (0083073)  
One SeaGate, 24th Floor  
P.O. Box 10032  
Toledo, Ohio 43699-0032  
Telephone: (419) 241-6000  
Fax: (419) 247-1777  
[JLRogers@eastmansmith.com](mailto:JLRogers@eastmansmith.com)  
[SAJohnson@eastmansmith.com](mailto:SAJohnson@eastmansmith.com)

ELSASS, WALLACE, EVANS,  
SCHNELLE & CO., L.P.A.

Richard H. Wallace (0011938)  
Courtview Center  
100 South Main Avenue  
Post Office Box 499  
Sidney, Ohio 45365-0499  
Telephone: (937) 492-6191  
Fax: (937) 492-0876  
rwallace@woh.rr.com

EIGHTH FLOOR PROMOTIONS,  
LLC

By: James M. Rogers  
Its: Partner

PROOF OF SERVICE

I hereby certify that a copy of the foregoing Notice of Withdrawal and Substitution of Trial Attorney was filed electronically on September 8<sup>th</sup>, 2010. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

An Attorney for Plaintiff